IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1308 OF 2007

Republican Employees Federation)
through President Rambhau Pathare)..Petitioner

Versus

The State of Maharashtra & Anr.)..Respondents

Ms.Leena Patil for the petitioner.

Smt.Lata Desai alongwith Ms.Pallavi Divekar for respondent no.2.

Coram : S.B.Mhase &
R.S.Mohite,JJ

Date : 27.04.2007.

PC

1. Heard learned Counsel for the petitioner and learned Counsel for respondent no.2.

2. This is a petition filed by the Union of un-registered workers. They claim to be mathadi workers. The grievance made by them is that they should be registered by the respondent no.2 as Mathadi Workers. There is an intervention application by the Maharashtra Rajya Mathadi

Transport and General Kamgar Union claiming that already, registered workers are not being provided with the work and these un-registered workers of the petitioner are trying to create unhealthy competetion. Learned Counsel for the respondent no.2 submitted that there is no work available and if simplicitor registration is carried out, they will carry out the registration. However, it should be made clear that the workers of the petitioner-union will not insist for any particular work with any particular organisation of the employer. Learend Counsel for the petitioner submitted that they will not create un-healthy competetion with the intervenor union and it is further submitted that petitioners' workers will not insist upon to work with any particular organisation and they will work as per the directions of the respondent no.2 wherever they assign them. In view of this statement made by the learend Counsel for the petitioner, we do not find any difficulty for registering these workers as mathadi workers and, therefore, we direct respondent no.2 that respondent no.2 shall consider the eligibility of the members of the petitioners' union for registration as mathadi workers. If they are found eligible, the Board shall register them. We make it clear that such registered members of the petitioners-union will not creat any unhealthy competetion with the

intervening union or any other union working in the same field and the members of the petitioenr union will not insist upon respondent no.2 to allot them particular organisation or employer of their choice. The allotment of work will be done as per the law and rules only by respondent no.2. Petition disposed off.

(R.S.Mohite,J) **(S.B.Mhase,J)**

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (ST) NO.4141 OF 2007
IN
WRIT PETITION NO.1308 OF 2007

Maharashtra Rajya Mathadi Transport
& General Kamgar Union ...Applicant
Versus
Republican Employees Federation
& Ors. ...Respondents

Smt.Bharti Patil for the intervenor.

Coram : S.B.Mhase &
R.S.Mohite,JJ

Date : 27.4.2007.

PC

1. In view of disposal off the Writ petition, this Civil Application does not survive and stands disposed off.

(R.S.Mohite,J) **(S.B.Mhase,J)**